

BEFORE THE IDAHO STATE ATHLETIC COMMISSION

In the Matter of the Licenses of: )  
) Case No. ATC-2007-2  
JAY GRIMSLEY, )  
License Nos. ATMA-221 and ATM- ) FINAL ORDER  
181, )  
)  
)  
Respondent. )

THIS MATTER is before the Idaho State Athletic Commission pursuant to the Default Order and Findings of Fact, Conclusions of Law, and Recommended Order issued on May 13, 2009, by Paul S. Penland, the designated Hearing Officer in this case. A Default Order was issued because the Respondent failed to answer or appear in this matter. The factual allegations set forth in the Complaint against Respondent were deemed true and, therefore, no formal hearing was held.

The Athletic Commissioner, having independently reviewed the record and considered the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and all other matters of record, and good cause appearing therefore, adopts the following Order.

IT IS HEREBY ORDERED as follows:

1. Jurisdiction. Idaho Code §§ 54-405 and 54-406, empowers the Idaho Athletic Commissioner ("Commissioner") to administer the Idaho Athletic Commission Act ("Act") codified at title 54, chapter 4, Idaho Code. In the course of administering the Act, the Commissioner has jurisdiction over all licensed boxers (martial artists) and manager/seconds in the State of Idaho. The Commissioner may sanction any person who violates the Act. *See* Idaho Code § 54-420.

2. Default. Respondent is in default, and the Hearing Officer's Findings of Fact and Conclusions of Law are adopted and incorporated herein by this reference.

3. Facts. The Complaint's factual allegations are deemed to be true.

4. Grounds for Discipline. Respondent's actions described in the Complaint

constitute grounds for discipline under Idaho Code § 54-418 (under the Act, any licensee who violates any rule of the Commission shall be penalized) and IDAPA 03.01.01.206 (any combatant who fails to appear in an event in which the combatant signed a contract to appear, without a written excuse determined to be valid by the Commission or a certificate from a physician designed by the Commission in advance in case of physical disability, is subject to disciplinary action).

5. Discipline Imposed. The Commissioner imposes the following discipline upon Respondent:

Respondent's licenses ATMA-221 and ATM-181, including any rights to renew those licenses, are hereby revoked.

6. Due Process Rights. This is a final order. Accordingly:

a. Any party may file a motion for reconsideration of this Final Order within fourteen (14) days of the issuance of this Order. The Commissioner will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. *See Idaho Code § 67-5246(4).*

b. Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which: (i) a hearing was held; (ii) the final agency action was taken; (iii) the party seeking review of the order resides, or operates its principal place of business in Idaho; or (iv) the real property or personal property, if any, that was the subject of the agency action is located.

c. Any appeal must be filed within twenty-eight (28) days of: (i) the issuance of this final order; (ii) the issuance of an order denying a petition for reconsideration; or (iii) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See Idaho Code § 67-5273.* The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order

under appeal.

7. Service of Order. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent and the State's attorney by mailing a copy to them at the addresses as provided.

DATED this 10<sup>th</sup> day of September 2009.

IDAHO ATHLETIC COMMISSION

By Tom Katsilometes  
Tom Katsilometes, Chairman

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10<sup>th</sup> day of September 2009, I caused to be served a true and correct copy of the foregoing by the following method to:

Jay Grimsley  
1105 Haven Cove Avenue  
Meridian, ID 83642

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☒ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: \_\_\_\_\_
- ☐ Statehouse Mail

Karin Magnelli  
Deputy Attorney General  
P.O. Box 83720  
Boise, ID 83720-0010

- ☐ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: \_\_\_\_\_
- ☒ Statehouse Mail

Tana Cory  
Tana Cory, Bureau Chief